G R S App F IX 4]

Previous References
Mil Dept 1171/40

Later References

194/ -
(7L)

File No 56-41
Serial Nos 179, 180, 181, 182, 183, 184

GENERAL AND REVENUE SECRETARIAT

Serial Nos

✓

Part B for oct 42

SUBJECT

~~Enlg~~ Extension of the term of the Vice President, Dodballapur Town Municipal Council

183/ To,

The Commissioner, Mysore
R 212 dt 10 7 42
Notifies the ——
the Dir of Rs Inds
R 34 46-5-4 dt 27 9 42
Issues certain instructions in the matter

184/

Mys 4/11/42

Extension of the term of the Vice-President of Doddaballapur Town Mul cl

General and Revenue Secretariat | ML File No 56 of 1941 | [App F III-2

Serial No

Letter no M6-4441/41-42 dated 4-6-42 from the Deputy Commissioner, Bangalore Dist, requesting Sanction to the Resolution of the Doddaballapur Town Municipal Council to extend the term of the ~~President~~ Vice-President of the said council upto the date of the notification of his successor by election

1. Doddaballapur is a Town Municipal Council

2. The term of the Vice-President of this municipal council is fixed for a period of one year on a resolution of the municipal council and in accordance with the proviso to Section 23(12) of the Town Municipalities Act, 1933

3. Under Section 23(12) of the Mysore Town Municipalities Act, 1933, the term of the Vice-President of every Town Mul cl shall, save as otherwise provided, cease on the expiry of his term of office as Councillor It is provided under proviso to the said Section that in Special Cases Govt may with the consent of the municipal council concerned direct that

NOTE—Cont Sheet

WD 041 5—GPB—55 000—23 10 41

2)

ML File No 56 of 1941 | General and Revenue Secretariat

Serial No

the term of the Vice-President be limited to one year and that election be held every year

In the case of the municipal council Govt have already ordered that the term of the Vice-President is for a period of one year The letter and Spirit of Section 23(12) of the T N Act appear to be that the term of the Vice-President should be either for such period as he is entitled to continue as a Councillor or for a period of one year, if so directed by Govt In this view, the term of the Vice-presidents cannot perhaps be extended according to the wishes of the Mdl Cls

Though the intentions of the Woddlabollapur Town Mdl Cl in making this proposal may be quite genuine, it cannot perhaps be approved on grounds of principle Because, if the Mdl Cls are permitted to extend the term of their elected officers without regard to the provision of law, it may lead to undesirable complications bearing on personalities and individuals Strict adherence

Extension of the term of the Vice-President Doddaballapur Town Municipality

General and Revenue Secretariat

ML File No 56 of 194 [App F III-2

Serial No

to the provision of law as perhaps necessary.

6 Law Section may also be consulted kindly to furnish their views on the legal position in this case

King Hall 8/8/42

7 for favour of advice as to whether the term of the Vice President of the Doddaballapur Town Municipality may be extended as proposed by the Govt & whether it would be legal to do so, in view of the Govt Order dated 12 5 41 fixing his term for one year from that date

Asst Leg Law Section) We for 8/8/42

8 Govt have under Sec 23 (2) the power to fix the term of the Vice President, with the concurrence of the Council, for a period of one year. The Council have now recommended that the term of the present Vice President be extended further till the next election is held as the President will not be able to find time to do the duties of the V P as at the close of the financial year. I do not think such

NOTE—Cont Sheet

WD 041 5—GPB—55 000—23 10 41

4) Extension of the term of the vice President Doddaballapur Town Mly

File No 56 7711/2 of 194 — General and Revenue Secretariat

Serial No

a thing can be done, as the Statute has fixed the term for one year alone & the term has not been fixed for one year, then the term of the office of the V.P. would be co-terminus with the term of office as Councillor I do not think the request of the Municipality can be sanctioned

Dy Secretary) 3/6/42

9. I agree with the above view by

The V.P. has not relieved for the months from 1942 to 1946 inclusively by

9/6 1942

10 Another letter dated 11.6.42 received from the 3/6/42

Municipality to submit the proposal

11 No action is called for on the election of the V.P. to fill the vacancy which is due to expire on 30th April 1943 as stated above

Minister dss) by 1942

11) Why no action was taken in time by the President to fill the calendar vacancy in time. The explanation may be called for. The omission may be censured also for how many days the V.P continued

P.V.D. II

From made 13 copies

2 copies 6 copies 3 copies 11 copies

Forwards a report about the pamphlet by a pamphlet by Leg. Congress Committee Doddaballapur Municipality allegations against the Vice President Municipality

OFFICE OF THE MINISTER FOR L.S.G & P.H
Date 19.6.1942
No 7936

(5

General and Revenue Secretariat — File No 56 | of 1941 — [App F III-2

Serial No	
	We are charges of the office after the expiry of the period
	dtd 21 6 42 by 22-6
	12) Draft letter at page Lr Supplier
	13) Submitted with a draft letter to the D C Bangalore Dist for approval 1 Encl 23/6/42 GS
	14) Answer received above Lr Supplier
	To
	The Deputy Comr, Bangalore Dist
181	No L 11962 dated 25-6-42
	Directs that as the term of the Vice President has been fixed ~~under the provisions of Section 23(12) of the T M Act~~ for one year alone, it is not admissible under the provisions of Section 23(12) of the T M Act, 1933 to extend the term of office of Vice President as proposed by the Dist beyond that period and calls for the explanation of the President
	Subm 25/6

Received 30 P M 23/6/42

24 JUNE 1942 GEN & REV SECTT

NOTE—Cont Sheet

WD 04155—GPB—55 000—23 10 41

Election of Vice-President — Doddaballapur Town Municipal Council

195-L

ML File No 56 77111/L 1957 of 1941

General and Revenue Secretariat

	Serial No
Letter no ML-PRL 484-6947/41-42 dated 8-7-42 from the Deputy-Commissioner Bangalore Dist; requesting Sanction to the Election of Mr H V Kesavamurthy as the Vice-President of the Doddaballapur Town Municipal Council	182
1) As the term of the Vice-President of the Doddaballapur Town Municipal Council expired on 13-5-42, this election has been held to fill up the vacancy in the said office. Since action was not taken in time to fill up the vacancy soon after it became vacant, the explanation of the President of the Doddaballapur Town Municipal Council has been called for and its receipt is awaited	Flag V
16 Submitted with a draft notification approving the election of Mr H V Kesavamurthy as the Vice-President of the Doddaballapur Town Municipal Council, for orders	
17 To note	
18 May be approved	
Law Secy 8/7/42	
19) May be approved	
Minister L S-G	

Kmw 8/7/42 Gs 8/7

SECY LAW DEPT 311 3 JUL 1942 GOVT OF MYSORE

8/7/42

OFFICE OF THE MINISTER FOR L.S-G & P H Date 8 7 1942 No 316

6-7-42 Form 20-4-42

8 7 42 Cws 9-7-42 9/7 Kmw

Election of Vice-President, Doddaballapur Municipal Council (7)

General and Revenue Secretariat — File No S-6 of 194 / 195 1 8633 [App F III-2

Serial No

To

The Compiler, Myst Gaz

No L 212 d 10-7-42

Notifies the election of Mr H V Kesava Murthy B.A. as the Vice President of the Doddaballapur Town Municipal Council

SubA

Information is due in respect of Serial 181

GS 18/7

From

The Deputy Commissioner, Bangalore

Letter No M 6-6461/41-42 dated 18 Aug 1942

Forwards the explanation furnished by the Outdoor President of the Doddaballapur Town Municipality and adds that the matter may be dropped for reasons given

Submitted with reference to paras 11-14 supra

18/8/42 GS 19/8

ASP I bring up Papers as erroneously flagged! 20/8/42

Mr K M S

It is the contention of the D.C that an election of a vice president can be held any after the occurrence of a vacancy caused by vacancy, as in the case of Malavalli (?) an election to the office of the vice president was held, although at the time, there was no vacancy. Please put up file also

24/8/42

NOTE—Cont Sheet

WD 041 5—GPB—5,000—23-10-41

8)

ML File No. 57 of 194 . | General and Revenue Secretariat

Serial No

25 Sch- Collections ML S 6 41 SLS 162, 1437 153 –
and ML S-6-41 SLS 160 & 168 ~~and 553~~ relating ——
to the elections of ~~Vice~~ President, —— --
Tumkur Town Municipal Council and --
Vice-President, Mandya Town ML 61, --
containing discussions regarding ——
the time at which the elections for --
the offices of the Presidents and Vice ——
Presidents may be held are put up --
for kind reference - - - ---- --

26 In the above cases, it was --
held that rule 11(1) of the Rules regulating --
the election of the Vice-Presidents (or ----
Presidents) in Town ML 61 merely prescribes
the outer limit for holding the elections --
and that it does not lay down that --
an election held during the term of --
a President or Vice-President whose
term of office is known to expire --
on a definite date is illegal -- -

27 In the year 1939, the D C
Bangalore ~~has~~ is reported to have --
issued definite instructions to -- Flag M –
the President, B B Pur ML 61, that an
election held before the occurrence of a vacancy in
the office of the Vice-President --

Election of Vice-President — (9
Doddaballapur Town Mcl

833/C

General and Revenue Secretariat | 7/L File No. 5-6 of 194 1 | [App F III-2

Serial No	
	as 'ultra-vires'. The Amildar previously has, in his explanation referred to the aforesaid instructions of the D C Bangalore but=
Flag-A	28) In view of what has been ordered in the reference files placed below, the instructions issued by the D C Bangalore but cannot be considered as correct. Separate instructions as to the legal position in the matter will be applied be issued to the local officers for future guidance
7/9/42 GS 7/9	29) There are two points in this case viz (1) Continuance of Sri Nima Ramiah left as Vice President of the Doddaballapura Town Mcl even after his resignation stood to facilitate the working the Mcl and to attend to the administration till the date of assumption of his successor in office (2) Holding of election to elect a new Vice President only after a vacancy really occurred
	30) In regard to the first point it may be stated that the term of the Vice President Sri Nima Ramiah left which was fixed for one year expired on 12/3/1942 and he should have vacated his seat immediately after that date but the Mcl resolved on 7/3/42 that in view of the heavy loss

NOTE—Cont Sheet

WD 441 5—GPB—55 000—23-10 41

10) Solicitation of the term of Mr A Annamanaidu,
the elected V P of Andhrapradesh Pradesh Assembly

M File No 56 of 194 | General and Revenue Secretariat

Serial No

of the Hon'ble President at the end of the 5th year to facilitate the administration, the said Vice President might continue till the date of election of the new Vice President. This position is indeed unfortunate & under the Statute the term of the Vice President was fixed for five years & he should automatically vacate his seat whether there be a successor or not. He can't actually act as the Vice President of India.

2) In regard to the second point, it is seen that a calendar year was fixed for the election of Vice President on 18/5/62 & the date of election was 19th Aug. Hon'ble President, Efforts have been taken and action started to the election to the office of the Vice President in time so that the successor could get into office immediately there was a vacancy i.e. on 13 May 62. But it is explained that there was precedent pending for delay due to the orders of the Hon'ble Supreme Court in which case the Supreme Court of India was held that action should be taken only after the vacancy actually occurred i.e. after 13 May 62. This order of the Hon'ble Supreme Court has to be revised and a circular explaining the legal position vis-à-vis para 26 will be issued for the guidance of the officers concerned, if approved.

3) In this case Mr. K. Varaprasad has been elected as Vice President of the Andhrapradesh Assembly & it has been notified. He has also entered upon his duties. The Hon'ble Minister recommends that the Judge question may be dropped.

4) For perusal & orders submitted please.

Law Secy
7/9/62

SECY LAW D 26-66 SEP 1966 GOVT OF INDIA

(+ Page 4 of the Note)

Extension of the term of Mr A
Annamma Cherian, the elected (11
VP of Dod Ballapur Town Mun. —

General and Revenue Secretariat — File No 56 — of 1941 — 833 — [App F III-2

2

Serial No

34) Submitted for perusal
35) To remove misconception
a circular as suggested
in A has to be issued
accordingly
Marked S S 8-9-42
Sec
36 JS
9-9-42
Sec
9-9-42
37) Draft pl
Sign
38 Submitted with a draft O M
Kmm 16/9/42 SS
39) pl. rewrite as revised
Initials
for M Sec
Subd
40 A revised draft is put up.
Kmm 22/9/42 SS
Approval
Law Secy 22/9/42
41 Sec
22-9-42
US Home
for M Sec

OFFICE OF THE MINISTER FOR L S G & P H
Date 8-9-42
No 2123

SECTT 3226 PT 2 MYSORE

NOTE—Cont'd Sheet

WD 041 5—GPB—5 000—23 10 41

N. Bombay & C 5331 of 1941 General and Revenue Secretariat

Serial No

To

The Dist. Court of Dharwar

C M No L 3646-56 dt 27-9-42 184

Issues certain instructions regarding the date of polling of elections of presidents and vice-presidents

Submitted with a draft letter to the D C Bangalore dir. returning the connected records sent by him

from 10/10/42 — C.M. 11/10/42 — To

The Dy. Comr Bangalore —

No L 4022 dt 13-10-42

Returns the records

B
Cr 20/10

7509/L

GOVERNMENT OF MYSORE

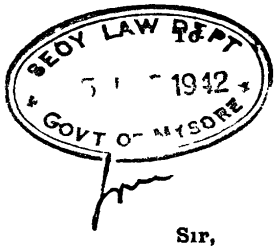
gram / phone URG NT

No 116-4441/41-42
Encls 3 1/file

OFFICE OF
The Deputy Commissioner,
Bangalore District
Bangalore

Date 4th June 1942

MR 56-41-179



C Narayanaswami Naidu, Esq., B A , B L ,
Secretary to the Government of Mysore
Law Department,
Bangalore

Sir,

Subject:- Extension of the term of the Vice President of of Doddaballapur Municipality - regarding the -

I have the honour to state that Mr Hampalla Atmaramiah Setty was the elected Vice President of Doddaballapur Town Municipality as per Government Notification No L 3123-41 62-40-139 dated 12-5-1941 The term of the Vice President is limited to one year in this Municipality as per G O No L 7674-5 M1 36-36-123 dated 21/24-4-1937 Hence, Mr Atmaramiah Setty s term expired on 12-5-1942, i e , one year from the date of Government Notification A calendar of events for holding the fresh election ought to have been framed prior to the date of expiry of the term

2 The President has now published a calendar fixing the date ofelection to 19-6-1942, on the authority of Rule 1 (b) of the Rules regulating the election of Vice Presidents in Town Municipal Councils wherein it is laid down that the election should be held within 2 months from the date of occurrence of the vacancy when the office of the elected Vice President becomes vacant other wise '

3 The Municipal Council have resolved at their meeting held on 13-5-1942 that in view of the heavy work of the Free Amildar President at the end of the year and with a view to facilitate the work in the Municipality it is essential to have the Vice President, to attend to the Municipal administration and that the term of the present Vice President may, therefore be continued up to the date of election of the new Vice President

4 Sanction of Government may in thesear circumstances, be kindly obtained to the resolution of the Municipal Council extending the term

7711/L

GOVERNMENT OF MYSORE

Tel Am Phone

OFFICE OF

The Deputy Commissioner,
Bangalore District,
Bangalore

No M6 444/41-42
Encls one

Date 11th June 1942

M6 56-4 (1)/80

To

The Secretary to Government of Mysore
Law Department,
BANGALORE

SECY LAW DEPT
12 JUN 1942
GOVT OF MYSORE

Sir

Referring to the publication by Mr S R Gurulingaiya, B A, Secretary, Congress Committee, Doddaballapur, in the "Visvakarnataka of 9th instant, printed copies of which are under circulation, making allegations against the Vice President of the Doddaballapur Municipality, I have the honour to state as follows -

2 As regards the cessation of the Membership of Mr Atma Ramiah Setty, Vice President, under section 12-E of the Town Municipalities Act, owing to the failure of payment of the arrears due from him within three months from the date of the issue of a special notice, referred to in para 3 of the printed pamphlet issued by Mr Gurulingaiya (copy submitted herewith for ready reference), I invite kind reference to this office report No M6-1496/41-42 dated 30-3-1942 explaining the circumstances of the case in detail and bringing to the notice of Government that there are no grounds to interfere with the membership of Mr Atma Ramiah Setty

S 872/L

3 As regards the facts mentioned in para 5 of the pamphlet, it is true that the term of the present elected Vice President Mr Atma Ramiah Setty expired on 12-5-1942, the date of approval of his election as Vice President being 12-5-1941, and that necessary action ought to have been taken in time to fill up the vacancy The Calendar of events has however been since published, fixing the date of election to 19-6-1942

The

The Municipal Council resolved at their Meeting held on 13-5-1942 that in view of the necessity of continuing the services of the present Vice President in this busy period of the year, sanction of Government might be obtained for the extension of the term of Mr Atma Ramiah Setty as Vice President, upto the date of election of his successor A recommendation has already been made to Government, in this office letter No M6-444/41-42 dated 5-6-1942 in this behalf, submitting the connected records together with the objection petitions received and orders are awaited

4 The question at issue is whether Mr Atma Ramiah Setty can continue to do the functions of a Vice President on the expiry of his present term The Council have already approved of his continuance and orders of Government on this point are awaited According to Sec 23 (2) of the Town Municipalities Act, 1933, the term of the office of every Vice President shall cease on the expiry of his term as Councillor provided that the Government may limit this period to one year with the consent of the concerned Municipal Council As per sec 35 of the same Act, the Municipal Council has got the power of delegating any power or duties of the Municipal Council to any of the Members Under this latter section, there appears to be authority for permitting Mr Atma Ramiah Setty to exercise the powers and perform the duties of a Vice President in the intervening period, though not actually under the designation "Vice President"

5 In view of the publication of incorrect information in the "Viswakarnataka" and by hand bills, I request you to cause a press communique to be issued at an early date

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Bangalore District

SN

ಸರ್ಕಾರವೂ, ಪೌರಸಭಾಡಳಿತವೂ

ಎಸ್ ಆರ್ ಗುರುಲಿಂಗಯ್ಯ, ಬಿ ಎ , ಕಾರ್ಯದರ್ಶಿ, ಕಾಂಗ್ರೆಸ್ ಸಮಿತಿ, ದೊಡ್ಡಬಳ್ಳಾಪುರ

1 ಈಗ ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಯು ಬೆಂಗಳೂರಲ್ಲಿ ಜರುಗುತ್ತಿದೆ ಕಾರಣ ತಳಗಣ ಲಂಶಗಳನ್ನು ಪ್ರಜಾ ಪ್ರತಿನಿಧಿಗಳಿಗೂ, ತನ್ಮೂಲಕ ಸರ್ಕಾರಕ್ಕೂ ಪತ್ರಿಕೆಗಳ ದ್ವಾರಾ ವ ಹಾಜನರ ಮುಂದೂ ತರಲಿಚ್ಛಿಸುತ್ತೇನೆ

2 ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ ಆಡಳಿತದಲ್ಲಿ ನಮ್ಮ ಸರ್ಕಾರವು ತುಂಬಾ ಪಕ್ಷಪಾತದಿಂದ ವರ್ತಿಸುತ್ತಿದೆ, ಎಂದು ತಿಳಿಸುವು ವಿಷಾದವಾಗುತ್ತದೆ ಈ ವಿಷಯವನ್ನು ಸ್ಪಷ್ಟೀಕರಿಸಲು ದೊಡ್ಡಬಳ್ಳಾಪುರದ ಪೌರಸಭಾಡಳಿತಕ್ಕೆ ಸಂಎಂದಿಸಿದ ಕೆಲ ಂಶಗಳನ್ನು ತಮ್ಮ ಗಮನಕ್ಕೆ ತರಬಯಸುತ್ತೇನೆ

3 ಕಾಂಗ್ರೆಸ್ಸನ್ನು ಎದುರಿಸಿದ್ದ ಓರ್ವ ಸ್ವತಂತ್ರ ಉಮೇದುವಾರರು, ನಾಮಕರಣ ಸದಸ್ಯರ ಸಹಕಾರದಿಂದ ಪೌರಸಭೆಯ ಉಪಾಧ್ಯಕ್ಷರಾದರು ಸದರೀ ಉವಾಧ್ಯಕ್ಷರು ತಮಗೆ ಸ್ಪೆಷಲ್ ನೋಟೀಸು ಜಾರಿಯಾದ ಮೂರು ತಿಂಗಳ ತವದಿಯೊಳಗಾಗಿ, ತಮ್ಮ ಬಾಕಿ ಸಂದಾಯ ಮಾಡದಿರುವ ೧೮-E ಸೆಕ್ಷನ್ ಪ್ರಕಾರ, ಇವರ ಸ್ಥಳವು ಖಾಲಿಯಾಗಲೇ ಬೇಕಾಗಿದ್ದಿತು ಈ ಲಂಶವನ್ನು ೯-೯-೪೧ ರಲ್ಲು ಒಬ್ಬ ಓಟುದಾರರೇ ಡೆಪ್ಯುಟಿ ಕಮಿಷನರ ರ್ರವರ ಗಮನಕ್ಕೆ (ರಿಜಿಸ್ಟರ್ಡ್ ಪತ್ರದ ಮೂಲಕ) ತಂದರು ಕಾನೂನು ಪ್ರಕಾರ ಉವಾಧ್ಯಕ್ಷ ರವರ ಸದಸ್ಯತ್ವಾನಕ್ಕೆ ಉಪಚುನಾವಣೆ ಜರುಗುತ್ತೆಂಬ ಅಂಶ, ಬಾತ್ಮೀದಾರರೊಬ್ಬರ ಮೂಲಕ ಕನ್ನಡ ಪತ್ರಿಕೆ ಗಳೆಲ್ಲೂ ಪ್ರಕಟವಾಯಿತು ೩-೧೧-೪೧ ರಲ್ಲು ಸದರೀ ವಿಷಯವನ್ನು ಕೆಲ ಕೌನ್ಸಿಲರುಗಳು (ರಿಜಿಸ್ಟರ್ಡ್ ಪತ್ರದ ಮೂಲಕ) ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ ಸಚಿವರ ಗಮನಕ್ಕೂ ತಂದರು ನಂತರ ೬-೧೧-೪೧ ರ ವಿಶ್ವ ಕರ್ನಾಟಕ ಪತ್ರಿಕೆಯ "ಪೊಲಿಟಿಕಲ್ ಹರಟೀಮ್ಲ್" ವಿಬಾಗದಲ್ಲಿ ಈ ತತ್ವದ ಎಗ್ಗೆ ಉಲ್ಲೇಖಿಸಿ, ಸರ್ಕಾರಕ್ಕೆ ತಕ್ಕ ಸೂಚನೆ ಕೊಡಲಾಗಿದ್ದಿತು ನಂತರ ಸದರೀ ವಿಷಯವನ್ನು ಬೋರ್ಡೊಂದರಲ್ಲಿ ಎರಡು ಈ ವಿಷಯ ನಮ್ಮೂರ ಪೌರಸಬೆಗೆ ಸಂಬಂದಿಸಿದ್ದೇ ? ಎಂದು ಓರ್ವ ಮಿತ್ರರು ಪ್ರಶ್ನಿಸಿ, ಸದರೀ ಬೋರ್ಡನ್ನು ಎಹಿರಂಗ ವಾಗಿ ಪ್ರಕಟಿಸಿದ್ದರು ಇಲ್ಲಿಗೂ ಸರ್ಕಾರವು ಕಾನೂನು ತನುಸರಿಸಿ ಕಾರ್ಯವೆಸಗಲಿಲ್ಲ ಕೆಲಕಾಲದ ನಂತರ ಈ ವಿಷಯದಲ್ಲಿ ಪೌರಸಬಾಧ್ಯಕ್ಷರು ಜರುಗಿಸಿರುವ ಕಾರ್ಯಕ್ರಮವನ್ನೂ ತರಿಯಲು, ಕಾಂ ಪಾರ್ಟಿಯ ಪೌರಸಭಾಸದಸ್ಯರುಗಳು ವಿಶೇಷ ಸಬೆ ಕರೆಯಲು ಎಮರ್ಜೆಂರ್ ಎಧ್ಯಕ್ಷರನ್ನು ಪ್ರಾರ್ಥಿಸಿದರು ಅಧ್ಯಕ್ಷರು ಸಭೆಯನ್ನು ಕರೆಯದಿರಲು, ಸದಸ್ಯರುಗಳೇ ಮೀಟಿಂಗನ್ನು ಕರದರು ಆಗ ತಮಲ್ದಾರ್ ಅಧ್ಯಕ್ಷರು ಮೇಲಣ ವಿಷಯಕ್ಕೆ ಸಂಬಂದಿಸಿದ ರಿಕಾರ್ಡನ್ನು ೫-೧೧-೪೧ ರಲ್ಲು ಹಾ! ಡೆಪ್ಯುಟಿ ಕಮಿಷನರ್ರ್ರವರಿಗೆ ರವಾನಿಸಲಾಗಿದೆ ಎಂದೂ, ಸರ್ಕಾರದ ಆರ್ಡರ್ ಬರುವವರೆವಿಗೂ ಸದರೀ ವಿಷಯ ಡೆನರ್ ಮಾಡಲಾಗಿದೆ ಎಂದೂ ೭-೧೧-೪೧ರ ಆ ಮೀಟಿಂಗಿನಲ್ಲಿ ತಿಳಿಸಿದರು ಈ ಬಗ್ಗೆ ಈವರೆವಿಗೂ ಆರ್ಡರ್ ಎಂದಿಲ್ಲ ೧೮-೫-೪೨ಕ್ಕೆ ಸದರೀ ಉವಾಧ್ಯಕ್ಷರ ಅವದಿಯೂ ಪೂರೈಸಿತು

4 ಈ ಸ್ಪೆಷಲ್ ಮೀಟಿಂಗಾದ ಕೆಲ ತಿಂಗಳ ನಂತರ ಕಾಂಗ್ರೆಸ್ ಪಾರ್ಟಿಯ ಓರ್ವ ಪೌರಸಭಾ ಸದಸ್ಯರು ನಾಲ್ಕು ಮೀಟಿಂಗುಗಳಿಗೆ ಹಾಜರಾಗದಿರುವು ತವರ ಸ್ಥಳವು ಖಾಲಿಯಾಗಿ ಉಪಚುನಾವಣೆಯೂ ಜರಗಿತು ಕಾಂಗ್ರೆಸ್ ಪಾರ್ಟಿ ಸದಸ್ಯರ ಬಗ್ಗೆ ಕಾನೂನು ಎಷ್ಟರಮಟ್ಟಿನ ಶಿಸ್ತಿನಿಂದ ಪ್ರಯೋಗಿಸಲ್ಪಟ್ಟಿತೋ ಅಷ್ಟೇ ಶಿಸ್ತಿನಿಂದ ಸ್ವತಂತ್ರ ಉಮೇದುವಾರರ ಮೇಲೂ ನಾಕಷ್ಟು ಒತ್ತಾಯವಿದ್ದರೂ ಸಹ, ಏಕ ಪ್ರಯೋಗವಾಗ ಲಿಲ್ಲವೋ ತಿಳಿಯದಾಗಿದೆ

ದಯವಿಟ್ಟು ಹಿಂದಿರುಗಿಸಿ

Appendix F G—1]

SUBJECT

Section M

File No 56—41

Serial No 181

Diary No of letter replied to

No L 1/9.62

To The D C Bangalore Rural

Sir,

With reference to the Correspondence ending with your letter no M6-4445/41-42 dated 11-6-42 requesting Sanction to the resolution of the Doddaballapur Town municipal to extend the term of the present Vice-President of the said Council, ~~up to the date of the notification~~ of his successor by election I am directed to state that the ~~proposed~~ resolution is not admissible under section 23(12) of the Mysore Local Boards Act, 1933 to extend the term of the Vice P T O

General and Revenue Secretariat

( )

the *19*

Date of issue 25/6/42

Signed by

List of enclosures

Copied by

Examined by

WD 086—GPB—40 000—30 7 40

I am to enquire why no action was taken timely by the Pd to prepare the Calendar of events in time as proposed by the Vice President as to the end of the period beyond which further information may be obtained and also the number of days for which the Vice-President may be authorised to continue in charge of the office after the expiry of the period. This may kindly be treated as very urgent together with the explanation of the President as to why action was not taken in time to publish the Calendar of events in time.

I have &c

for Secy to Govt
Law Dept

Urgent

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

No L 11962 *Dated Bangalore,* 25 June 1942.

Jud 56-41-181

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department

To

The Deputy Commissioner,
Bangalore District

Sir,

With reference to correspondence ending with your letter No M6-4441/41-42 dated 11th June 1942 requesting sanction to the resolution of the Doddaballapur Town Municipal Council to extend the term of the present Vice-President of the said Council up to the date of the notification of his successor by election, I am directed to state that as the term of the Vice-President has been fixed for one year alone, it is not ~~possible~~ admissible under the provisions of Section 23(12) of the Town Municipalities Act, 1933, to extend this term of office of Vice-President as proposed by the Municipal Council beyond that period I am to enquire why no timely action was taken by the President to publish the calendar of events in time and to request that his explantion for this omission may be obtained and submitted ~~for~~ to Government for orders

Information may also kindly be furnished as to the number of days during which the Vice-President continued to be in charge of the office after the expiry of the period This may kindly be treated as very urgent

I have the honor to be,
Sir,
Your most obedient servant,

Ramachandra

For Secretary to Government,
Law Department.

GOVERNMENT OF MYSORE

195/L

Telegram / phone

MU SZ-41-182

OFFICE OF
The Deputy Commissioner,
Bangalore District,
Bangalore

No 116-P R 434-6947/41-42
Encls Two

Date 6th July 1942

To

Sundararaja Rao, Esq., B A., B L.,
Secretary to the Government of Mysore,
Law Department,
BANGALORE

SECY LAW DEPT 1942 GOVT OF MYSORE

Subject - Election of Vice President of Dodballapur Town Municipality - intimates the result of the -

I have the honour to state that the term of the elected Vice President of Dodballapur Town Municipality having expired on 13-5-42 a fresh election was held on 13-6-1942 as per the enclosed calendar of events

The marginally noted three Councillors, had stood for election Mr B C Venkatanarayana withdrew his candidature in time

Messrs	
1 D Sheik Ahmed	
2 B C Venkatanarayana	
3 H V Keseva Murthy B A	

2 In the election held on 13-6-1942, Mr H V Keseva Murthy B A., got 12 votes as against 3 votes secured by Mr D Sheik Ahmed Hence, Mr H V Keseva Murthy, B A, has been declared as duly elected as per rule 7 (1) of the Rules regulating the election of Vice Presidents in Town Municipalities

3 No objections have been received in this office within the prescribed time about the validity of the election held I, therefore request that the name of Mr H V Keseva Murthy, B A, may kindly be notified in the Gazette as the elected Vice President of Dodballapur Town Municipality

Flag C

The term may be fixed to one year as per existing practice in the Municipality

The Compiler, Mysore Gazette, may also be requested to send some spare copies of the notification for publicity to this office

I have the honour to be
Sir
Your most obedient servant,

S Narayana Rao

Deputy Commissioner
Bangalore District

BVM/-

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

L 212 / Mis 56-41-183

Dated Bangalore 10 7 42

NOTIFICATION MU 56-41-183

Under Section 23 (4) of the Mysore ~~Section 10 (4) of the Mysore~~ Town Municipalities Act, 1933 ~~Minor Municipalities Act 1933.~~ Mr H V Kesava Murthy, B A, is elected as the Vice President of the Doddaballapur Town Municipal Council ~~Minor Municipal Council~~ Bangalore District, for a period of one year

By Order,

Secretary to Government
Law Department

6 7 42

To—The Compiler Mysore Gazette for publication in Part III-3 of Gazette and supply of ten copies thereof to the Secretariat and to the Deputy Commissioner ~~of the~~ District ~~Concerned~~

MEMO NO L. 213 8 10 7 42

Copy of the above is forwarded with compliments to the Deputy Commissioner Bangalore District for information with reference to his letter No MI PR/484-6947/41-42 dated 7-7- 1942

The records accompany

By Order,

For Secretary to Government,
Law Department

c.231.

`IMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore July 1942.

`ATION

Under Section 23(4) of the Mysore Town Municipalities Act, 1933, Mr. H.V. Kesava Murthy, B.A., is elected as the Vice-President of the Dodballapur Town Municipal Council, Bangalore District, for a period of one year.

By Order,

Sd C Narayanaswami Naidu

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part III-3 of Gazette and supply of ten copies thereof to the Secretariat and to the Deputy Commissioner, Bangalore District.

Aga/11.

Memo No Dated, Bangalore the July 1942.

Copy of the above is forwarded with compliments to the Deputy Commissioner, Bangalore District, for information with reference to his letter No M6-P R /484-6947/41-42 dated 7th July 1942. ~~The records accompany~~

By Order,

for Secretary to Government,
Law Department.

GOVERNMENT OF MYSORE

Telegram / phone

OFFICE OF THE DEPUTY COMMISSIONER, Bangalore District, Bangalore

No M6-6461/41-42
Encls One file

Date 1st August 1942

To

C NARAYANASWAMI NAIDU, ESQ , B A., B L ,

Secretary to the Government of Mysore,
Law Department,
BANGALORE

Subject - Extension of the term of Mr A Atmaramiah Setty, the elected Vice President of Doddaballapur Town Municipality - forwards further report regarding the ratification of the -

With reference to your letter No L 11962-M1 5641-181 dated 25-6-1942 on the above subject, I have the honour to forward herewith the detailed explanation furnished by the Amildar President of Doddaballapur Town Municipality in the matter It is seen therefrom that the President has taken timely action to hold the election as per rule 1 (b) of the Rules regulating the election of Vice Presidents in Town Municipalities sanctioned in G O No L 8264-M1 25-34-1 dated 22/29-5-1935

2 The term of Mr Atmaramiah Setty expired on 12-5-1942 As per Rule 1 (b) of the above Rules, the election was fixed to be held on 19-6-1942, i e , within 2 months from the date of occurrence of the vacancy, viz , 12-5-1942 It is understood that the election Rules apply to all kinds of vacancies and that an election should be held within 2 months from the date of vacancy

3 When an election was held during the year 1938-39 in this Municipality within the expiry of the term of the Vice President (Mr D Lakshmiah) it was held to be "Ultra vires" by the then Deputy Commissioner in No L Dis C2-4602/38-39 dated 25-5-1939 on the ground that the election could only be held after the occurrence of a vacancy The connected records are enclosed for reference The action taken now by the President may, perhaps be deemed to be in order as per Election Rules sanctioned in the Government Order referred to above

4 The election of Mr H V Keshava Murthy as the Vice President has also been accepted and notified by the Government in their No L 212/M1 56-41-183

dated 12-7-1942. Mr. Ahmedmiah Setty has attended to the duties of the Vice President for a period of 1 month and 19 days after the expiry of his term. In view of the explanation furnished in the last para of this office letter of even number dated 11-6-1942, the matter may be kindly dropped

I have the honour to be,
S i r,
Your most obedient servant,

DEPUTY COMMISSIONER,
BANGALORE DISTRICT.

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 27.9.42

Signed by MV GRRao

List of enclosures

Copied by

Examined by

Section M

Local Govts File No 56-41

Serial No 184

No 2 3446-54

To O M

M- has come to the notice of Govt- that- Rule 1(b) of the Rules regulating the election of presidents and Vice-presidents of Town and Minor Municipalities is being construed as laying down that- the elections to the offices ~~of Presidents or Vice-Presidents~~ have to be held within two months after the actual occurrence of vacancies therein with the result- that Hons- delay much

difficulty and inconvenience ~~that~~ being caused in attending to Municipal affairs especially in the case of those Municipalities where the term of office of the President or Vice-President is fixed at ~~one~~ year

The rules referred to prescribe merely the outer limit for holding the elections and that an election held during the term of a President or Vice-President whose term of office is known to expire on a definite date is not illegal

Having regard to the above points Govt directed that prompt action should be taken to hold the elections well in time even before the expiry of the term of the President or Vice-President so that these offices may be filled up immediately after the previous incumbents vacate their offices

By order

To Secy to Govt
Law Dept
Ch, 7
22
Me by Courier of 21st from Dr

Appendix F G—1]

SUBJECT Extension of the term of Mr A Atmaramaiah Setty the elected Vice-President of the Doddaballapur Town Ho Bd

Section Rev

File No 56-41

Serial No 183

Diary No of letter replied to

No L 4022
Records

To

The Dy Comr, Bangalore Dist—

Sir,

I am directed to return herewith ~~after perusal by Govt~~ the ~~connected~~ records received with your letter no 176-6461/41-42 dt 8-12-42 on the above subject—

I have &c—

for

Jt Secy to Govt—
Land Dept

General and Revenue Secretariat

( )

the *194*

Date of issue 13 10 42

Signed by Mr K [illegible] N.

List of enclosures

Copied by

Examined by

WD 04161—GPB—60 000—24 10 41